

REMARKS

After entry of this amendment, claims 70-97 will be pending for the Examiner's review and consideration. Claims 25-69 have been canceled without prejudice. Applicants reserve the rights to prosecute the canceled claims and subject matter in one or more related applications. New claims 70-97 have been added. Support for new claims 70-97 may be found in the originally filed specification and claims. Specifically, support for new claims 70-97 may be found, *inter alia*, in paragraphs [0020], [0023] to [0029], [0069], [0076], [0091], [0116] to [0117], [0181], and [0186], as well as Tables 17-19, 24, and 26. For the Examiner's convenience, a summary of these Tables is enclosed as Exhibit A. No new matter has been added. Reconsideration of the present application in view of the above amendments and the following remarks is respectfully requested.

I. CLAIM STATUS

The Examiner withdrew claims 39-69 from consideration as they are allegedly directed to a non-elected invention. Without agreeing with the Examiner and merely to expedite prosecution, claims 39-69 have been cancelled without prejudice.

II. REJECTION UNDER 35 U.S.C. § 112

Claims 25-38 have been rejected under 35 U.S.C. § 112, first paragraph, allegedly for lack of enablement. The Examiner alleges that the specification does not enable a person of ordinary skill in the art to make and/or use the invention commensurate in scope with these claims. In particular, the Examiner contends that although the specification is enabling for the specific formulations prepared which resulted in the concentration versus time curves of Figures 14-17, the specification does not reasonably provide enablement for any means of providing the said curve, *i.e.*, there is no indication as what other formulation would result in the graphs set forth in the Figures.

Without agreeing with the examiner and merely to expedite prosecution, claims 25-38 have been canceled without prejudice. Currently pending claims recite specific formulations that provide specific properties. Thus, the rejection is believed to have been obviated. Accordingly, withdrawal of the rejection and allowance of independent claims 70, 71, 87 and 88, as well as their respective dependent claims, are respectfully requested.


III. CONCLUSION

It is respectfully requested that the above amendment and remarks be entered into the file of the application. Should the Examiner not agree with applicants' position, then a personal or telephonic interview is respectfully requested to discuss any remaining issues and expedite the eventual allowance of the application.

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Respectfully submitted,

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Enclosures